

Decemeber 25, 2005

Office of the Clerk
United States District Court
844 N. King Street LockBox 18
Wilmington, Delaware 19801-3570

RE: Witherspoon v. Russo, et al
Civil No. 04-1424-JJF

Dear Clerk,

On or about December 19, 2005 I filed a Motion for Extension of Time and erroneously cited Federal Rule of Civil Procedure Rule 4(a)(5) as the authority by which such motion was being sought. Please treat such motion as if filed pursuant to Federal Rule of Appellate Procedure Rule 4(a)(5).

I thank you for your time and attention to this matter.

Respectfully submitted
on behalf of,

Eric Witherspoon

Eric Witherspoon, pro se
SBCC
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CENTRAL MAIL

27 DEC 2005 PM 11



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